

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANTHONY HENRY,

Petitioner,

-against-

JAMES CONWAY, Superintendent, Sing Sing
Correctional Facility,

Respondent.
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JUDGMENT
04-CV- 4298 (NGG)

A Memorandum and Order of Honorable Nicholas G. Garaufis, United States District Judge, having been filed on August 3, 2005, denying the petitioner's application for a writ of habeas corpus; ordering that a Certificate of Appealability shall not issue; and certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's Memorandum and Order would not be taken in good faith; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that judgment is hereby entered denying the petitioner's application for a writ of habeas corpus; that a Certificate of Appealability shall not issue; and that pursuant to 28 U.S.C. § 1915 (a)(3) any appeal from the Court's Memorandum and Order would not be taken in good faith.

Dated: Brooklyn, New York
August 03, 2005


ROBERT C. HEINEMANN
Clerk of Court